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Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SELINA KEENE, MELODY FOUNTILA, MARK) Case No.: 4:22-cv-01587-JSW
MCCLURE,)

Plaintiffs,

v.

CITY AND COUNTY OF SAN FRANCISCO;
LONDON BREED, Mayor of San Francisco in her
official capacity; CAROL ISEN Human Resources
Director, City and County of San Francisco, in her
official capacity; DOES 1-100,

Defendants.

) **[PROPOSED] ORDER RE:**
) **PLAINTIFFS' MOTION TO ENTER**
) **AN ORDER PURSUANT TO THE**
) **NINTH CIRCUIT'S MEMORANDUM**

) Date: July 28, 2023
) Time: 9:00 AM
) Judge: The Honorable Jeffrey S. White

[PROPOSED] ORDER RE. PLAINTIFFS' MOTION TO ENTER AN ORDER PURSUANT TO
THE NINTH CIRCUIT'S MEMORANDUM

1 The Court finds as follows:

2 Plaintiffs have established a prima facie case and meet all four Winter factors in support of
3 their Motion for Preliminary Injunction.

4 1. There is no public interest in Plaintiffs working in the privacy of their own homes.

5 2. The balance of equities falls in Plaintiffs favor, as no one working San Francisco can be
6 effected by Plaintiffs remote work.

7 3. Plaintiffs prevail on the merits. Defendant waived its affirmative defenses and failed to
8 carry its burden of going forward under well established Title VII law.

9 4. Irreparable harm is presumed when there is a violation of a civil rights statute, in this
10 case, Title VII. In addition, Plaintiffs loss of their careers established irreparable harm.

11 For good cause shown, Plaintiffs Motion for Preliminary Injunction is granted. Plaintiffs
12 are to be reinstated to their former positions forthwith.

13 Dated:

14 The Honorable Jeffrey S. White